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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/590,640	06/21/2007	Eric J. Davis	20386/0205092-US0	2123	
7278 DARBY & DA	7590 07/09/201 RBY P.C.	0	EXAMINER		
P.O. BOX 770	-	HANDAL, KAITY V			
Church Street Station New York, NY 10008-0770			ART UNIT	PAPER NUMBER	
,			1795		
			MAIL DATE	DELIVERY MODE	
			07/09/2010	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
Office Action Summers	10/590,640	DAVIS ET AL.				
Office Action Summary	Examiner	Art Unit				
	KAITY V. HANDAL	1795				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence ad	ldress			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 16(a). In no event, however, may a reply be tim 11 apply and will expire SIX (6) MONTHS from 12 cause the application to become ABANDONE	N. nely filed the mailing date of this c D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on						
	-· action is non-final.					
3) Since this application is in condition for allowan		secution as to the	e merits is			
closed in accordance with the practice under E						
	, , , , , , , , , , , , , , , , , , , ,					
Disposition of Claims						
4)⊠ Claim(s) <u>1-19</u> is/are pending in the application.						
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8)⊠ Claim(s) <u>1-19</u> are subject to restriction and/or e	lection requirement.					
Application Papers						
9) The specification is objected to by the Examine	·.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correcti	on is required if the drawing(s) is obj	ected to. See 37 CI	FR 1.121(d).			
11)☐ The oath or declaration is objected to by the Ex			• •			
Priority under 35 U.S.C. § 119						
12) ☐ Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)	-(d) or (f)				
a) ☐ All b) ☐ Some * c) ☐ None of:	priority arraor oo 0.0.0.3 110(a)	(4) 5. (.).				
1. ☐ Certified copies of the priority documents	s have been received					
2. ☐ Certified copies of the priority documents		on No				
			Stage			
	3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list of		d				
Gee the attached detailed office action for a list of	or the certified copies flot receive	u.				
Attachment(c)						
Attachment(s) 1) \(\sum \) Notice of References Cited (PTO-892)	4) Interview Summary	(PTO_413)				
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) 🔲 Interview Summary Paper No(s)/Mail Da					
3) Information Disclosure Statement(s) (PTO/SB/08)	5) Notice of Informal P	atent Application				
Paper No(s)/Mail Date	6)					

Application/Control Number: 10/590,640 Page 2

Art Unit: 1795

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

- a. Species A: each module comprises at least two elongated reactor
 chambers (claim 2 Figure 2 US PGPUB page 2, [0028] Figure 2 includes
 three reactor chambers)
- b. Species B: each module comprises at least two elongated reactor
 chambers formed in the interior of elongated tubular members (claim 5 Figure
 17 US PGPUB page 6, [0058] Figure 17 includes 6 reactor chambers).

Applicant is required, in reply to this action, to elect a single species (i.e. either A or B) to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species (i.e. either A or B), including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise require

all the limitations of an allowed generic claim. Currently, the following claim(s) are generic: claim 1 having elongated reactor chambers.

The claims are deemed to correspond to the species listed above in the following manner:

Claim 1 includes the limitation that each module comprises elongated reactor chambers; this limitation is generic to the species above.

The following claim(s) are generic: claim 1.

2. REQUIREMENT FOR UNITY OF INVENTION

As provided in 37 CFR 1.475(a), a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention"). Where a group of inventions is claimed in a national stage application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The determination whether a group of inventions is so linked as to form a single general inventive concept shall be made without regard to whether the inventions are claimed in separate claims or as alternatives within a single claim. See 37 CFR 1.475(e).

WHEN CLAIMS ARE DIRECTED TO MULTIPLE CATEGORIES OF INVENTIONS

As provided in 37 CFR 1.475(b), a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:

- (1) A product and a process specially adapted for the manufacture of said product; or
 - (2) A product and process of use of said product; or
- (3) A product, a process specially adapted for the manufacture of the said product, and a use of the said product; or
- (4) A process and an apparatus or means specifically designed for carrying out the said process; or
- (5) A product, a process specially adapted for the manufacture of the said product, and an apparatus or means specifically designed for carrying out the said process.

Otherwise, unity of invention might not be present. See 37 CFR 1.475(c).

3. A telephone call was made to Mr. Bruce Black on 7/6/2010 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

Art Unit: 1795

requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention or species.

Should applicant traverse on the ground that the inventions have unity of invention (37 CFR 1.475(a)), applicant must provide reasons in support thereof.

Applicant may submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case.

Where such evidence or admission is provided by applicant, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Application/Control Number: 10/590,640 Page 6

Art Unit: 1795

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAITY V. HANDAL whose telephone number is (571)272-8520. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexa Neckel can be reached on (571) 272-1446. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8520.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KAITY V. HANDAL/ Examiner, Art Unit 1795 7/6/2010
